



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,862	02/20/2004	Kevin Ellis	694231/0090 JD/KCE	7509

32361 7590 01/05/2006

GREENBERG TRAURIG, LLP
MET LIFE BUILDING
200 PARK AVENUE
NEW YORK, NY 10166

EXAMINER

MAHMOUDI, HASSAN

ART UNIT PAPER NUMBER

2165

DATE MAILED: 01/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/783,862	ELLIS ET AL.	
	Examiner	Art Unit	
	Tony Mahmoudi	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Remarks

1. In response to communications filed on 11-October-2005, claims 1, 3, 7, and 9, are amended per applicant's request. Claims 1-27 are presently pending in the application, of which, claims 1, 12, and 23 are presented in independent form.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shultz et al (U.S. Publication No. 2003/0061211 A1) in view of Goerz, JR. et al (U.S. Publication No. 2002/0065671 A1.)

As to claims 1 and 7, Shultz et al teaches a system providing an improved graphical user interface for web search (see Abstract, see figures 1 and 4, and see paragraphs 70-71, and 75), comprising:

a search region containing a search criteria (see paragraphs 62 and 77-78);

a result region comprising indicia of a plurality of search categories (see paragraphs 73-79); and

a connection indicator establishing a visual connection between the search region and a selected one of search category indicia (see paragraphs 66 and 70.)

Shultz et al does not teach: to enable a user to make cognitive connection indicating that the user's search criteria was found in the particular search category indicated by the connection indicator.

Goerz Jr. et al teaches a project development workspace (see Abstract), in which he teaches enabling a user to make cognitive connection indicating that the user's search criteria was found in the particular search category indicated by the connection indicator (see figures 19C-19U, and see paragraphs 55 and 100.)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Shultz et al to include enabling a user to make cognitive connection indicating that the user's search criteria was found in the particular search category indicated by the connection indicator.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Shultz et al by the teaching of Goerz Jr. et al because enabling a user to make cognitive connection indicating that the user's search criteria was found in the particular search category indicated by the connection indicator, would enable the user to view both the search results and the selected search categories on the same page, making it easier for the user to refine the search criteria while viewing the matched results.

As to claims 2, 8 and 13, Shultz et al as modified, teaches wherein the connection indicator is a pointer having a first end and a second end, the first end is wider than the second end and visually associated with the search region while the second end is visually associated with the selected one of search category indicia (see Goerz Jr. et al, figure 19C, where the “connection pointers” are pointing to the “search regions” [Select Region and Country] in the middle section of the page, and “search category indicia” [Directory] on the left side of the page.)

As to claims 3, 9 and 14, Shultz et al as modified, teaches wherein the connection indicator establishes a visual connection between the search region and a default search category indicia so as to enable a user to make a cognitive connection indicating that the user’s search criteria was found in the particular default search category indicated by the connection indicator (see Goerz Jr. et al, paragraphs 52 and 55.)

As to claims 4, 19 and 21, Shultz et al as modified, teaches wherein the default search category indicia is labeled “Web” (see Goerz Jr. et al, paragraph 42 and 45.)

As to claim 5, Shultz et al as modified, teaches wherein the default search category indicia is labeled News” (see Goerz Jr. et al, figure 17, and see paragraphs 42 and 70.)

As to claims 6, 18 and 20, Shultz et al as modified, teaches wherein the default search category indicia is labeled “Yellow Pages” (see Goerz Jr. et al, paragraphs 42 and 49.)

As to claim 10, Shultz et al as modified, teaches wherein said search region further comprises a search button (see Goerz Jr. et al, figure 18B [Search iwKnowledge] button.)

As to claim 11, Shultz et al as modified, teaches wherein said search region is disposed adjacent to said result region (see Goerz Jr. et al, figures 18B and 19C.)

As to claim 12, Shultz et al teaches a method for providing an improved graphical user interface for web search (see Abstract, see figures 1 and 4, and see paragraphs 70-71, and 75) comprising:

obtaining a search term (see paragraph 12, where “search term” is read on “geographically defined query from a user”);

performing a search for said search term (see paragraph 12);

obtaining a plurality of results pertaining to said search term (see paragraph 12)

displaying indicia of a plurality of search categories (see paragraphs 13-14.)

for the teaching of “visually associating a search region containing said search term with one of said indicia of search categories using a connection indicator”, the applicant is directed to the remarks and discussions made in claim 1 above, in view of the teachings of Goerz Jr. et al.)

As to claim 15, Shultz et al as modified, teaches further comprising displaying a plurality of alternate search category indicia and visually associating said search region with one of

Art Unit: 2165

said plurality of alternate search category indicia using an alternate connection indicator (see Goerz Jr. et al, figure 19C.)

As to claim 16, Shultz et al as modified, teaches further comprising:

selecting one of said search category indicia; and visually associating said search region with said selected search category indicia using said connection indicator (see Goerz Jr. et al, figures 19C and 19E.)

As to claim 17, Shultz et al as modified, teaches further comprising:

displaying said search terms and a search button in the search region wherein said search region is located adjacent to said indicia of the plurality of search categories (see Goerz Jr. et al, figures 19C and 19E.)

As to claim 22, Shultz et al as modified, teaches wherein said alternate connection indicator is disposed at the bottom of a web page (see Goerz Jr. et al, figure 18J.)

As to claim 23, the applicant is directed to the remarks and discussions made in claims 1-6 above.

As to claim 24, Shultz et al as modified, teaches wherein said search region comprises a search term text entry area (see Shultz et al, figure 2 and paragraphs 13, 45 and 50.)

As to claim 25, Shultz et al as modified, teaches wherein the each of the plural search category indicia comprises a text region and a surrounding graphics region, the two aforementioned regions so configured as to resemble a labeled index tab on a file folder (see Shultz et al, figure 4, and see paragraph

As to claim 26, Shultz et al as modified, teaches wherein the connection indicator resembles an arrowhead (see Goerz Jr. et al, figures 18B and 18D.)

As to claim 27, the applicant is directed to the remarks and discussions made in claims 1 and 12 above, and further to Shultz et al, paragraph 74.)

Response to Arguments

4. Applicant's arguments filed on 11-October-2005 with respect to the rejected claims in view of the cited references have been fully considered but they are not deemed persuasive:

In response to the applicant's arguments that "[i]n summary, as conceded in the Office Action, Shultz fails to teach, suggest or disclose enabling the user to make a cognitive connection indicating that the user's search term was found in a particular search category indicated by a connection indicator", and that "Goetz has been reviewed and is not seen to remedy the above-noted deficiencies", the arguments have been fully considered but are not deemed persuasive. The examiner relies on the secondary reference, Goerz Jr. et al, who

Art Unit: 2165

teaches this limitation (see figures 19C-19U, and see paragraph 100.) With respect to the Applicant's changing of "search term" to "search criteria", Goerz Jr. et al teaches "search criteria in paragraph 55, where "search criteria" is read on "selection criteria".

In response to the applicant's arguments that "nothing in the cited portions of Goetz is seen to teach, suggest or disclose a connection indicator which establishes a visual connection between a search region and a selected one of search category indicia", the arguments have been fully considered but are not deemed persuasive. The examiner is relying on the primary reference, Shultz, who teaches a connection indicator establishing a visual connection between the search region and a selected one of search category indicia (see paragraphs 44, 66 and 70.)

In view of the applicant's remarks that "[b]oth the Office Action and the description in Goetz refer to figure 19W. However, there was no figure 19W provided in the copy of Goetz provided with the Office Action", the remarks have been noted. In reviewing the Goerz et al reference, the examiner concludes that the cited passage in the reference was supposed to be "figures 19C-U" instead on --figures 19 C-W--. The examiner had changed this typographical error of the reference in this Office Action.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2165

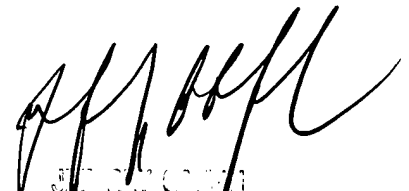
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Tony Mahmoudi whose telephone number is (571) 272-4078. The examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin, can be reached at (571) 272-4146.

tm

December 20, 2005



TONY MAHMOUDI
Examiner
Art Unit 2165